



## PATENT

ATTORNEY DOCKET NO.: 040894-5755

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Goro NAKATANI et al.

Application No.: 10/043,276

Filed: January 14, 2003

For: SEMICONDUCTOR DEVICE AND  
METHOD FOR MANUFACTURING  
THE SAME

Confirmation No.: 4701

Group Art Unit: 2811

Examiner: Junghwa M. Im

## Mail Stop Amendment

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Mail Stop Amendment**  
Alexandria, VA 22314

Sir:

## RESPONSE TRANSMITTAL FORM

1. Transmitted herewith is a Request for Reconsideration in response to a Non-Final Office Action dated June 27, 2008.
2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal (Correction)  
☐ Information Disclosure Statement  
☐ Form PTO-1449, \_\_\_\_\_ references included  
☐ Citations  
☐ Declaration of Biological Deposit  
☐ Others

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: **\$ 0.00.**

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	11	minus	20	0	x \$50 each =	+ \$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$200 each =	+ \$ 0.00
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$ 0.00
SUB-TOTAL =						\$ 0.00
Reduction by ½ for filing by a small entity						- \$ 0.00
TOTAL FEE =						\$ 0.00

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge **\$0.00** for additional claims fee to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**By: Sumiyo Onda  
Reg. No. 62,166Dated: September 15, 2008

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Commissioner for Patents  
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Alexandria, VA 22314

Sir:

**REQUEST FOR RECONSIDERATION**

In response to the Non-Final Office Action dated June 27, 2008, the period for response extends through September 27, 2008, Applicants respectfully request reconsideration of this application based on the following remarks.